

ENTERED

June 15, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

RONNIE DEWAYNE MARVEL,

Petitioner,

VS.

LORIE DAVIS,

Respondent.

§
§
§
§
§
§
§
§

CIVIL ACTION NO. 2:20-CV-31

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

Before the Court is Magistrate Judge Jason Libby's Memorandum and Recommendation (M&R). (D.E. 16). The M&R recommends that the Court grant Respondent's motion for summary judgment (D.E. 11) and dismiss Petitioner's petition for writ of habeas corpus (D.E. 1). (D.E. 16, p. 10). Additionally, the M&R recommends that the Court deny Petitioner a certificate of appealability. (D.E. 16, p. 10); *see* 28 U.S.C. § 2253(c).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* U.S.C. § 636(b)(1); FED R. CIV. P. 72(b); General Order No. 2002-13. Petitioner timely filed objections to the M&R. (D.E. 17). Having carefully reviewed the proposed findings and conclusions of the M&R, the record, the applicable law, and having made a de novo review of the portions of the M&R to which Petitioner's objections were directed, 28 U.S.C. § 636(b)(1), the court **OVERRULES** Petitioner's objections. (D.E. 17). Accordingly, the Court:

(1) **ADOPTS** the M&R in its entirety (D.E. 16).

- (2) Respondent's motion for summary judgment (D.E. 11) is **GRANTED**.
- (3) A certificate of appealability is **DENIED** pursuant to 28 U.S.C. § 2253(c).
- (4) The Clerk of Court is **ORDERED** to administratively **CLOSE** this case.

SIGNED and ORDERED this 15th day of June 2020.

A handwritten signature in black ink, appearing to read 'D. Morales', is written over a horizontal line.

DAVID S. MORALES
UNITED STATES DISTRICT JUDGE